

**SUPREME COURT MINUTES
MONDAY, JANUARY 26, 2009
SAN FRANCISCO, CALIFORNIA**

S150371 D047347 Fourth Appellate District, Div. 1 **SCHATZ (RICHARD A.) v.
ALLEN MATKINS LECK
GAMBLE & MALLORY LLP.**

Opinion filed: Judgment reversed and remanded

The judgment of the Court of Appeal is reversed and remanded for proceedings consistent with this opinion.

Opinion by: Moreno, J.

-----joined by: George, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S169894 D054401 Fourth Appellate District, Div. 1 **GARCIA (SAMUEL
MICHAEL) v. S.C. (PEOPLE)**

Petition for review and application for stay denied

S065233 **PEOPLE v. SMITH (FLOYD
DANIEL)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by January 25, 2010, counsel's request for an extension of time in which to file that brief is granted to March 27, 2009. After that date, only five further extensions totaling about 300 additional days are contemplated.

S081479 **PEOPLE v. MOORE
(RONALD WAYNE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Arnold A. Erickson's representation that he anticipates filing the appellant's reply brief by June 1, 2009, counsel's request for an extension of time in which to file that brief is granted to April 3, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S096809**PEOPLE v. POYNTON
(RICHARD JAMES)**

Extension of time granted

Good cause appearing, and based upon counsel Carla J. Johnson's representation that she anticipates filing the appellant's opening brief by September 10, 2010, counsel's request for an extension of time in which to file that brief is granted to April 2, 2009. After that date, only nine further extensions totaling about 525 additional days are contemplated.

S105857**PEOPLE v. JOHNSON
(LUMORD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 1, 2009.

S122123**PEOPLE v. RODRIGUEZ
(ANGELINA)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 23, 2009.

S157098**BUNYARD (JERRY
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to March 16, 2009. The court anticipates that after that date, only eight further extensions totaling about 480 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S157917**DAVIS (RICHARD ALLEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Phillip H. Cherney's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 3, 2009, counsel's request for an extension of time in which to file that document is granted to April 3, 2009. After that date, no further extension is contemplated.

S167965**KAYE ON DISCIPLINE**

Recommended discipline imposed

It is ordered that WALTER MICHAEL KAYE, State Bar No. 46854, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 9, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S167966**CORRY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that ROBERT JOHN CORRY, State Bar No. 171979, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 27, 2008. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-third of said costs be paid with membership fees for the years 2010, 2011, and 2012. It is further ordered that if ROBERT JOHN CORRY fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S167967**GALLINGHOUSE ON
DISCIPLINE**

Recommended discipline imposed

It is ordered that CAROLYN PROBASCO GALLINGHOUSE, State Bar No. 149650, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 3, 2008. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v.*

State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2010 and 2011. It is further ordered that if CAROLYN PROBASCO GALLINGHOUSE fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S167968**GITTELSON ON DISCIPLINE**

Recommended discipline imposed

It is ordered that PATRICIA GREENWALD GITTELSON, State Bar No. 225843, be suspended from the practice of law for two years and until she shows proof satisfactory to the State Bar Court of her rehabilitation, present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including paying a judgment, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 4, 2008. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-third of said costs be paid with membership fees for the years 2010, 2011, and 2012. It is further ordered that if PATRICIA GREENWALD GITTELSON fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168110**SMITH ON DISCIPLINE**

Recommended discipline imposed

It is ordered that DAVID MICHAEL SMITH, State Bar No. 242063, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for sixty days. Credit towards the period of actual suspension is given for the period of interim suspension, which commenced on July 2, 2007. (*In re Young* (1989) 49 Cal.3d 257, 270.) DAVID MICHAEL SMITH is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed August 13, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn.

8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168114**JANZEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that CAROLYN SUE JANZEN, State Bar No. 102998, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is ordered to make restitution to the Estate of Edna Martin a.k.a. Edna Martin Alves, deceased, in the amount of \$78,898.24 plus 10% interest per annum from September 30, 1999 (or to the Client Security Fund to the extent of any payment from the fund to the Estate of Edna Martin, plus interest and costs, in accordance with Business and Professions Code section 6140.5), and furnish satisfactory proof thereof to the State Bar's Office of Probation. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d). Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S168117**BUMANGLAG ON
DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that GEORGE BUMANGLAG, State Bar No. 56646, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. GEORGE BUMANGLAG is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S168118**DOLAN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that MICHAEL PATRICK DOLAN, State Bar No. 142576, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including six months actual

suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 15, 2008. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-half of said costs be paid with membership fees for the years 2010 and 2011. It is further ordered that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S168120**TAYAC ON DISCIPLINE**

Recommended discipline imposed

It is ordered that ROBERT A. TAYAC, State Bar No. 173134, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for 18 months on condition that he be actually suspended for 60 days. ROBERT A. TAYAC is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed August 18, 2008, as modified by its order filed on August 20, 2008. It is further ordered that ROBERT A. TAYAC take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168122**GALENO ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that JANET ANN GALENO, State Bar No. 114814, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S168123**MCKNEELY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that MICHAEL GEORGE McKNEELY, State Bar No. 214896, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including one year actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 20, 2008, as modified by its order filed on September 5, 2008. Credit toward the period of actual suspension must be given for the period of interim suspension which commenced on January 14, 2008. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and be payable in equal installments prior to February 1 with membership fees for membership years 2010 and 2011 following the effective date of this order. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168124**NIERMEYER ON
DISCIPLINE**

Recommended discipline imposed

It is ordered that LAWRENCE TIMOTHY NIERMEYER, State Bar No. 157440, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed August 28, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168129**MORKEN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that JOHN F. MORKEN, State Bar No. 153979, be suspended from the practice of law for three years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and until he shows proof of his sustained rehabilitation from substance abuse as set forth by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 26, 2008; that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and until he shows proof of his sustained rehabilitation from substance abuse as set forth by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 26, 2008. JOHN F. MORKEN is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 26, 2008. JOHN F. MORKEN is further ordered to comply with rule 9.20 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S168130**MCPHERSON ON
DISCIPLINE**

Recommended discipline imposed

It is ordered that CHRISTINA MARIE MCPHERSON, State Bar No. 209120, be suspended from the practice of law for two years and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, present fitness to practice and present learning and ability in the law, pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 2, 2008, as modified by its order filed August 26, 2008. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-third of said costs be paid with membership fees for the years 2010, 2011, and 2012. It is further ordered that if CHRISTINA MARIE MCPHERSON fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable

immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168233**TILLINGER ON DISCIPLINE**

Recommended discipline imposed

It is ordered that DAVID L. TILLINGER, State Bar No. 214450, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 30, 2008, as modified by its order filed on September 2, 2008. It is further ordered that DAVID L. TILLINGER take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-half of said costs be paid with membership fees for the years 2010 and 2011. It is further ordered that if DAVID L. TILLINGER fails to pay any installment of the disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168421**RICO-JARAMILLO ON
DISCIPLINE**

Recommended discipline imposed

It is ordered that MICHELE C. RICO-JARAMILLO, State Bar No. 186346, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years on condition that she be actually suspended for 30 days. MICHELE C. RICO-JARAMILLO is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 30, 2008. It is further ordered that MICHELE C. RICO-JARAMILLO take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-third of said costs be paid with membership fees for the years 2010, 2011, and 2012. It is further ordered that if MICHELE C. RICO-JARAMILLO fails to pay any installment of the disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules

of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S168422**MASCOTT ON DISCIPLINE**

Recommended discipline imposed

It is ordered that OWEN THOMAS MASCOTT, State Bar No. 134243, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including ninety days' actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 12, 2008, as modified by its order filed on September 26, 2008. It is also ordered that he comply with rule 9.20 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, §6126, subd. (c).)

S168423**MCGREW ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that FRANCIS JOSEPH MCGREW, State Bar No. 122523, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S169256**DAVIS ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of GEORGE WILLIAM DAVIS, State Bar No. 73611, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in

accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169259**BUZO ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of ALFRED JOSEPH BUZO, State Bar No. 177377, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169260**KELLY ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of EDWARD PATRICK KELLY, State Bar No. 53878, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169261**SOUKUP ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of WILLIAM WAYNE SOUKUP, State Bar No. 75068, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169262**ROCKEFELLER ON
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of DEVIN GRANT ROCKEFELLER, State Bar No. 174528, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169263**NEWMAN ON****RESIGNATION**

Resignation declined

This court having received and considered the voluntary resignation of JONATHAN DANIEL NEWMAN, State Bar No. 47353, as a member of the State Bar of California, the court declines to accept the resignation. (Cal. Rules of Court, rule 9.21(d).)

S169264**TODARO ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of MICHAEL HENRY TODARO, State Bar No. 170248, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S169265**NICHOLSON ON
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of DOUGLAS LEE NICHOLSON, State Bar No. 129508, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. The court orders that he comply with rule 9.20 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the

date this order is filed. (Bus. & Prof. Code, § 6126, subd. (c).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 853)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

